

Culture - the foundation of Maori Governance

The structure of a governance system specifies the distribution of rights and responsibilities among different participants dictating the mutually agreed rules and procedures for making decisions on business affairs. For Maori, an Indigenous people, the unique and pivotal factor that provides the point of difference, for governance, is the importance of their culture. Notwithstanding this point of difference there exists a paucity of governance structures that adequately cater and provide for culture.

Mick Dodson notes:

“Governance can broadly be defined as: the processes, structures and institutions (formal and informal) through which a group, community or society makes decisions, distributes and exercises authority and power, determines strategic goals, organises corporate, group and individual behaviour, develops rules and assigns responsibility”.

Revisiting this initial premise, the question is whether a synergy exists, or can exist, between culture, or tikanga Maori, and the basic components of good governance.

Strategic Management

Irrespective of the fact that the structure and ownership of an organisation will influence some elements of governance, the basic governance principles, including strategic management, remain the same across all organisations. For Maori, the implementation of a successful strategic management plan will assist to provide a direction and the steps required by each iwi to attain their identified goals and objectives. However, in strategic management, it is widely recognised that organisations do not implement strategies, rather people do. Subsequently, an underlying consideration for the implementation of strategies is who are the people who will most likely to be affected.

It is recognised that, like strategic management, good governance can also create a strong future for an organisation by continuously steering towards a vision while also ensuring that day-to-day management is always aligned with the organisation's goals. However, at its core, governance is about leadership.

Leadership

Leadership is defined as "the ability of an individual to influence, motivate, and enable others to contribute toward the effectiveness and success of the organizations of which they are members" (House 2004). For instance, irrespective of the harsh external factors including the high dollar, ever increasing compliance costs and high energy costs, Maori still achieve increased annual profits for their fisheries assets. Domestically, despite the financial crisis, Maori continually post growth in annual profits. This has been achieved, in part, through hard decisions along with the support and commitment from a network of persons who provided pertinent information to effectively accomplish tasks. Irrespective of the obstacles, effective leadership can contribute towards the success. There are also particular characteristics of Maori organisations that bring extra dimensions to the practice of governance.

Maori Organisations

Many Maori organisations have multiple purposes that can be contained within one entity, or alternatively separate entities can be established. The fisheries allocation model, for instance, requires the establishment of a Mandated Iwi Organisation and a separate Asset Holding Company. This separates the governance or political arm from the management or commercial arm as a step towards effective governance.

Maori organisations are not established just to make a profit, as they are also required to balance financial viability with the social and cultural aspirations of the beneficiaries as their core purposes. Although organisations may trade commercially and measure themselves against economic indicators such as wealth creation, for Maori, profit is often not seen as an end in itself.

Unique considerations

Due to the cultural dynamic, Maori organisations have unique considerations. First, future considerations are a central focus. Maori organisations are often established to provide a resource for future generations (taonga tuku iho), so the long term vision for that organisation and strategies to ensure its continuing success are critical.

Secondly, cultural considerations, such as kawa (protocol), are also a central focus for Maori organisations. The inclusion of these two unique considerations complicates the issue of governance for Maori entities, particularly when the inclusion of these principles are implemented alongside general governance principles.

Consistent with the tikanga principle of future generations (taonga tuku iho), many Maori organisations have an extremely long-term view of their future. This is not dissimilar to the social equity principle of inter-generational justice or justice for future generations. For Maori organisations this principle has implications for many aspects of governance. Although this may not be dissimilar to certain other organisations, such as farming or aquaculture, who also undertake long term planning, for many Maori organisations the time span is often inter-generational. Conversely, some stakeholders, such as financiers, may adopt a short-term view, for example focusing on immediate and short-term returns or limiting to a five year planning cycle.

Many Maori organisations are explicitly driven by tikanga, kawa and values (for example in employment, tangihanga and cultural leave policies) that take into account the aspirations of whanau, hapu and iwi. Cultural considerations will sometimes take precedence over purely economic factors. For instance, many coastal iwi will adopt a provision to enable Maori to fish for their quota. In many instances this quota package can be leased for a greater commercial value, however the cultural or tikanga value of undertaking htee fishing themselves will override the commercial gain.

Maori organisations may also have a Maori dimension in procedure such as the use of Te Reo (language), mihi (greet), karakia (prayer), koha (donation), hospitality for manuhiri (visitors), manaakitanga (care for), whanaungatanga (relative), kotahi tanga (one), consensus decision-making and regular consultation hui. These elements should support the general principles of good governance. Subsequently, it is important to have people with expertise in tikanga and kawa on the Board.

Existing vehicles such as a trust or company are inadequate to fully capture these unique considerations and the wide ranging social and economic aspirations of Maori. The recommendation of the Law Commission to create a new legal entity specifically shaped to meet the organisational needs of Maori tribes and other groups that manage communally held assets was to provide a suitable alternative: the Waka Umanga Bill (vessel for a community undertaking).

This Bill would allow tribes to establish their own waka umanga with a set of standard obligations but also enable tribes to develop the model in a way that fits with their own culture, traditions and particular requirements. It ensures that tribal structures are formed by the iwi themselves and are not determined by the allocation process. This bestows upon the iwi more control and timing of the direction in which they choose to proceed.

The iwi structure and process is not determined by legislation, but the iwi structure is derived from legislation that is binding on the Crown. This Bill also would have allowed iwi to develop their own governance models to fit their specific direction. Iwi maintain control of the timing, composition and direction in which they choose to proceed. Surely this must be a preferable situation for Maori.

Governance – Conclusion

A significant number of businesses and organisations fail for a whole range of reasons. Poor governance can be a fundamental cause. Maori organisations have come under particular scrutiny partly due to the low success rates and the public perception that they are funded with public money. Ensuring that good governance is followed assists in reducing the odds of failure and any negative fallout as a result.

Although each iwi is in a unique place when receiving their assets, it is imperative that the appropriate governance structure is adopted to safeguard the assets and provide a clear path for Maori. Upon establishment of this structure the strategic plans can then realise the respective kawa, kaupapa or agenda for each iwi. The issue of governance is clearly of concern, reflected in the recent decision by the Law Commission to recommend legislation to create a governance entity that is more appropriate for the needs of Maori organisations.

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